IN THE HIGH COURT OF JUDICATURE OF ANDHR APRADESH
AT HYDERABAD

PRESENT:
THE HON'BLE SRI JUSTICE P. SWAROOP REDDY
Dated:7-7-2006

W.P.No. 24343 of 2000

Between:
G.Sathaiah

...Petitioner

and

The Dy. Chief Manager, APSRTC, Karimnagar
and others.

...Respondents

PSR, J.

W.P.No. 24343 of 2000

O r d e r:

The case of the petitioner is that he was sanctioned a loan of Rs.88,400-00, which was ultimately finalized to Rs.82,800-00 and paid only an amount of Rs.27,600-00. Thereafter he was removed from service. After that he approached the Labour Court, where he lost the cause. Then he approached this Court and ultimately he was reinstated into service on 15—7—1998. After that the impugned order dated: 24-11-1999 was issued directing the petitioner to pay the outstanding loan amount with penal interest of Rs.13,051-21 fixing appropriate instalments.

2) No counter is filed on behalf of the respondents.

3) There is no dispute that the petitioner has drawn an amount of

Rs.27,600-00, paid back certain amounts. Now, through the impugned order he was directed to pay the balance amount. The grievance of the petitioner is that, penal interest of Rs.13,051-21 is excessive; that he was out of service for about seven years and that he is not in a position to pay the amount. I am not inclined to accept this contention, as there is no dispute that the petitioner was sanctioned the loan and he has drawn some amounts also.

4) The very fact that he was removed from service; that reinstatement was ordered only without back wages, as fresh appointment, as stated by the leaned counsel for the petitioner, reveals that the petitioner, himself, was at fault. However, that aspect is not much relevant for the purpose of deciding this writ petition.

5) Having regard to the fact that the amount that was paid to him only, is sought to be recovered along with penal interest, it cannot be said to be illegal. I see no ground to interfere.

6) In the result the writ petition is dismissed. No costs.

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P. SWAROOP REDDY, J.

Dated:07-07—2006
BVS